

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Norfolk Division

FERDINAND L.M.,¹

Plaintiff,

v.

CIVIL ACTION NO. 2:24cv27

MARTIN O'MALLEY,
Commissioner of the Social Security Administration,

Defendant.

FINAL ORDER

This matter comes before the court on Plaintiff's Memorandum of Law in Support of Motion for Judgment on the Pleadings filed on April 3, 2024. ECF No. 8. Defendant, Commissioner of the Social Security Administration ("Commissioner") filed a Brief in Support of Decision Denying Disability Benefits on May 3, 2024, ECF No. 9, and Plaintiff's Reply was filed on May 17, 2024. ECF No. 10. On March 5, 2024, this matter was referred to United States Magistrate Judge Robert J. Krask, pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and (C), and Rule 72(b) of the Federal Rules of Civil Procedure, to conduct necessary hearings, including evidentiary hearings, and to submit to the undersigned district

¹ The Committee on Court Administration and Case Management of the Judicial Conference of the United States has recommended that, due to significant privacy concerns in social security cases, federal courts should refer to claimants only by their first names and last initials.

judge proposed findings of fact, if applicable, and recommendations for the disposition of the matter. ECF No. 6. The United States Magistrate Judge's Report and Recommendation ("R&R") was filed on December 9, 2024, recommending that the final decision of the Commissioner be **REVERSED** and **REMANDED**. ECF No. 11.


By copy of the R&R, the parties were advised of their right to file written objections to the findings and recommendations made by the Magistrate Judge within fourteen (14) days of the date of service of the R&R to the objecting party. See id. at 22-23. No objections were filed by either party, and the time for filing objections has expired.

The court, having reviewed the record in its entirety, does hereby **ADOPT AND APPROVE IN FULL** the findings and recommendations set forth in the Magistrate Judge's thorough and well-reasoned R&R, filed on December 9, 2024. Id. Accordingly, the Commissioner's final decision is **REVERSED** and **REMANDED** for further proceedings consistent with the R&R and this Final Order.

The parties are **ADVISED** that an appeal from this Final Order may be commenced by forwarding a written notice of appeal to the Clerk of the United States District Court, United States Courthouse, 600 Granby Street, Norfolk, Virginia 23510. This written notice must be received by the Clerk within sixty days from the date of this Final Order.

The Clerk is **DIRECTED** to effect the Remand and close the case on this court's docket. The Clerk is **DIRECTED** to forward copies of this Final Order to counsel for all parties.

IT IS SO ORDERED.

/s/ 
Rebecca Beach Smith
Senior United States District Judge

REBECCA BEACH SMITH
SENIOR UNITED STATES DISTRICT JUDGE

January 16, 2025